

STAYED,TYPE-D

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02130-RC**

LAMBDA LEGAL DEFENSE & EDUCATION FUND, INC. v. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Assigned to: Judge Rudolph Contreras
Cause: 05:552 Freedom of Information Act
Date Filed: 09/13/2018
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**LAMBDA LEGAL DEFENSE &
EDUCATION FUND, INC.**

represented by **Elizabeth France**
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 897-2465
Fax: (202) 871-6523
Email: beth.france@americanoversight.org
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF HEALTH
AND HUMAN SERVICES**

represented by **Elizabeth J. Shapiro**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20530
(202) 514-5302
Fax: (202) 616-8470
Email: Elizabeth.Shapiro@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Fraser Knapp
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 305-8613
Fax: (202) 616-8470
Email: Michael.Knapp@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/13/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Filing fee \$ 400 receipt number 0090-5687183) filed by LAMBDA LEGAL DEFENSE & EDUCATION FUND, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Attorney, # <u>3</u> Summons Attorney General, # <u>4</u> Summons HHS, # <u>5</u> Exhibit A)(France, Elizabeth) (Entered: 09/13/2018)
09/13/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by LAMBDA LEGAL DEFENSE & EDUCATION FUND, INC. (France, Elizabeth) (Entered: 09/13/2018)
09/13/2018	<u>3</u>	MOTION for Temporary Restraining Order by LAMBDA LEGAL DEFENSE & EDUCATION FUND, INC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration)(France, Elizabeth). Added MOTION for Preliminary Injunction on

		9/18/2018 (znmw). (Entered: 09/13/2018)
09/14/2018		Case Assigned to Judge Rudolph Contreras. (zsb) (Entered: 09/14/2018)
09/14/2018	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 09/14/2018)
09/18/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/14/2018. (Answer due for ALL FEDERAL DEFENDANTS by 10/14/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 9/14/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES served on 9/14/2018 (France, Elizabeth) (Entered: 09/18/2018)
09/20/2018	<u>6</u>	NOTICE of Appearance by Michael Fraser Knapp on behalf of All Defendants (Knapp, Michael) (Entered: 09/20/2018)
09/20/2018	<u>7</u>	PROPOSED BRIEFING SCHEDULE re <u>3</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction by LAMBDA LEGAL DEFENSE & EDUCATION FUND, INC.. (France, Elizabeth) (Entered: 09/20/2018)
09/21/2018		MINUTE ORDER adopting <u>7</u> the parties' proposed briefing schedule: It is hereby ORDERED that the following schedule shall govern proceedings on the Motion for a Temporary Restraining Order or Preliminary Injunction: Defendant shall file its opposition to the motion on or before September 24, 2018; Plaintiff shall file its reply on or before September 26, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on 9/21/18. (lcrc1) (Entered: 09/21/2018)
09/21/2018		Set/Reset Deadlines: Opposition due by 9/24/2018; Reply due by 9/26/2018. (tj) (Entered: 09/21/2018)
09/24/2018	<u>8</u>	Memorandum in opposition to re <u>3</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Declaration of Michael Marquis with Exhibits A and B, # <u>2</u> Text of Proposed Order)(Knapp, Michael) (Entered: 09/24/2018)
09/24/2018	<u>9</u>	NOTICE of Appearance by Elizabeth J. Shapiro on behalf of All Defendants (Shapiro, Elizabeth) (Entered: 09/24/2018)
09/26/2018	<u>10</u>	REPLY to opposition to motion re <u>3</u> MOTION for Temporary Restraining Order MOTION for Preliminary Injunction filed by LAMBDA LEGAL DEFENSE & EDUCATION FUND, INC.. (France, Elizabeth) (Entered: 09/26/2018)
10/04/2018	<u>11</u>	MEMORANDUM OPINION & ORDER denying <u>3</u> Plaintiff's Motion for Temporary Restraining Order or Preliminary Injunction. See document for details. Signed by Judge Rudolph Contreras on 10/4/18. (lcrc1) (Entered: 10/04/2018)
10/05/2018	<u>12</u>	NOTICE of Change of Address by Michael Fraser Knapp (Knapp, Michael) (Entered: 10/05/2018)
10/15/2018	<u>13</u>	ANSWER to Complaint by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Exhibit A – Notice of Expedited Processing)(Knapp, Michael) (Entered: 10/15/2018)
10/15/2018		MINUTE ORDER: It is hereby ORDERED that the parties shall meet, confer, and submit a proposed briefing schedule on or before October 29, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on 10/15/18. (lcrc1) (Entered: 10/15/2018)
10/25/2018	<u>14</u>	Joint STATUS REPORT by LAMBDA LEGAL DEFENSE & EDUCATION FUND, INC.. (France, Elizabeth) (Entered: 10/25/2018)
10/25/2018		MINUTE ORDER: Upon consideration of <u>14</u> the Parties' Joint Status Report, it is hereby ORDERED that the parties shall submit a further joint status report on or before November 26, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on 10/25/18. (lcrc1) (Entered: 10/25/2018)

10/26/2018		Set/Reset Deadlines: Status Report due by 11/26/2018 (tj) (Entered: 10/26/2018)
11/21/2018	<u>15</u>	Joint STATUS REPORT by LAMBDA LEGAL DEFENSE & EDUCATION FUND, INC.. (France, Elizabeth) (Entered: 11/21/2018)
11/26/2018		MINUTE ORDER: Upon consideration of <u>15</u> the Parties' Joint Status Report, it is hereby ORDERED that the parties shall submit a further joint status report on or before January 25, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on 11/26/18. (lcrc1) (Entered: 11/26/2018)
11/26/2018		Set/Reset Deadlines: Status Report due by 1/25/2019 (gdf) (Entered: 11/26/2018)
01/17/2019	<u>16</u>	Unopposed MOTION to Stay by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Attachments: # <u>1</u> Text of Proposed Order)(Knapp, Michael) (Entered: 01/17/2019)
01/25/2019		MINUTE ORDER granting <u>16</u> Motion to Stay: It is hereby ORDERED that this case is STAYED until appropriations are restored to the Department of Justice. It is FURTHER ORDERED that the joint status report previously due on January 25, 2019 shall be due within 14 days of the restoration of appropriations. The Court notes that this stay does not impact HHS's responsibility to continue processing Plaintiff's FOIA requests at issue in this matter. SO ORDERED. Signed by Judge Rudolph Contreras on 1/25/19. (lcrc1) (Entered: 01/25/2019)